

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AARON RUBENSTEIN,

Plaintiff,

-against-

CHRISTIAN LEONE, LCG HOLDINGS, LLC,
LUXOR MANAGEMENT LLC, LUXOR CAPITAL
GROUP, LP, LUXOR WAVEFRONT, LP, LUXOR
SPECTRUM OFFSHORE, LTD., and LUXOR
SPECTRUM OFFSHORE MASTER FUND, LP,

Defendants,

-and-

RCS CAPITAL CORP.,

Nominal Defendant.

X

: Civil Action No.: 15-cv-9794 (NRB)

:
: **SUGGESTION OF BANKRUPTCY**
: **AND NOTICE OF OPERATION**
: **OF AUTOMATIC STAY**

X

PLEASE BE ADVISED that voluntary petitions for relief under Chapter 11 of the Bankruptcy Code were filed by Nominal Defendant RCS Capital Corporation and its affiliated debtors (collectively, the “Debtors”), on January 31, 2016 (the “Petition Date”), in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”), and docketed as Case No. 16-10223. A copy of the notice of commencement and petition filed by RCS Capital Corporation is attached hereto as Exhibit A and is incorporated herein by reference.

PLEASE BE FURTHER ADVISED that pursuant to Bankruptcy Code sections 1107(a) and 1108, the Debtors continue to manage their property as debtors-in-possession.

PLEASE BE FURTHER ADVISED that certain actions against the Debtors, such as the commencement or continuation of any litigation that could have been or was commenced before the Petition Date, are stayed pursuant to Bankruptcy Code section 362(a) as of the Petition Date.

Any action taken against the Debtors or their property, or exercising control of a property of the Debtors, including, without limitation, pursuing causes of action that are property of the estate of the Debtors, without obtaining the necessary relief from the automatic stay from the Bankruptcy Court is void *ab initio* and may be subject to findings of contempt and the assessment of penalties and fines.

Dated: New York, New York
February 5, 2016

SCHINDLER COHEN & HOCHMAN LLP

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